



0000096216

INTERVENTION  
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LAWYERS



Davis Wright Tremaine LLP APR 19 2 53

ARIZONA CORPORATION COMMISSION

ANCHORAGE BELLEVUE BOISE CHARLOTTE HONOLULU LOS ANGELES PORTLAND RICHMOND SAN FRANCISCO SEATTLE WASHINGTON, D.C. SHANGHAI

LARRY WEATHERS  
DIRECT (206) 628-7161  
larryweathers@dwt.com

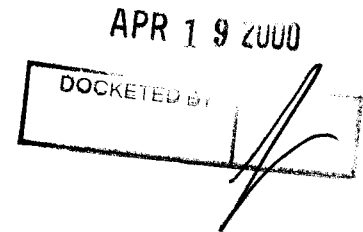
2600 CENTURY SQUARE  
1501 FOURTH AVENUE  
SEATTLE, WA 98101-1688

TEL (206) 622-3150  
FAX (206) 628-7699

www.ArizonaCorporationCommission.com  
D

April 18, 2000

Arizona Corporation Commission  
Docket Control – Utilities Division  
1200 W. Washington Street  
Phoenix, AZ 85007



Re: *In the Matter of Investigation into US WEST Communications, Inc.'s Compliance with Certain Wholesale Pricing Requirements for Unbundled Network Elements and Resale Discounts*, Docket No. T-00000A-00-0194

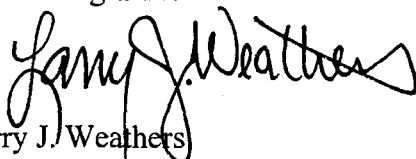
Dear Docket Control:

Enclosed for filing in the above named docket are the original and 10 copies of ***Motion by NEXTLINK, Inc. for Late-Filed Intervention.***

Should you have any questions regarding this filing please call Robert Tanner at (602) 787-2905.

Very truly yours,

Davis Wright Tremaine LLP

  
Larry J. Weathers  
Paralegal

Enclosures

cc: Robert Tanner  
Greg Kopta  
Mary Steele

BEFORE THE  
ARIZONA CORPORATION COMMISSION

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IN THE MATTER OF INVESTIGATION INTO )	
U S WEST COMMUNICATIONS, INC.'S )	DOCKET NO. T-00000A-00-0194
COMPLIANCE WITH CERTAIN WHOLESALE )	
PRICING REQUIREMENTS FOR UNBUNDLED )	MOTION BY NEXTLINK, INC.
NETWORK ELEMENTS AND RESALE )	FOR LATE-FILED
DISCOUNTS )	INTERVENTION

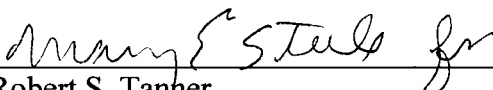
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**MOTION BY NEXTLINK, INC. TO PERMIT  
LATE-FILED INTERVENTION**

NEXTLINK, INC. respectfully petitions the Arizona Corporation Commission ("Commission") for leave to intervene in the above-captioned proceeding. NEXTLINK's original application to intervene is attached hereto as Exhibit A. This application was mailed before the deadline to intervene but did not reach the Commission because of an incorrect address on the mailing label. NEXTLINK filed this motion for late-filed intervention immediately upon learning of the error. All parties were served with Exhibit A on a timely basis and none of the parties, therefore, will be prejudiced if NEXTLINK is permitted to intervene at this time.

WHEREFORE, NEXTLINK respectfully requests leave to intervene as a party to this proceeding with a right to discovery, to have notice and appear at the taking of testimony, to produce and cross examine witnesses, and to be heard in person or by counsel on brief and at oral argument.

RESPECTFULLY SUBMITTED THIS 18<sup>th</sup> day of April, 2000.

  
\_\_\_\_\_  
Robert S. Tanner  
Davis Wright Tremaine LLP  
17203 N. 42<sup>nd</sup> Street  
Phoenix, AZ 85032  
Tel. (602) 787-2905  
Fax (602) 788-8944

# EXHIBIT

## A

# COVER SHEET

## ARIZONA CORPORATION COMMISSION DOCKET CONTROL CENTER

CASE/COMPANY NAME:

DOCKET NO.

T-00000A-00-0194

NEXTLINK Arizona, Inc.

IN THE MATTER OF INVESTIGATION INTO

U S WEST COMMUNICATIONS, INC.'S COMPLIANCE WITH

D/B/A or RESPONDENT:

CERTAIN WHOLESALE PRICING REQUIREMENTS FOR

UNBUNDLED NETWORK ELEMENTS AND RESALE DISCOUNTS

### NATURE OF ACTION OR DESCRIPTION OF DOCUMENT

Please mark the item that describes the nature of the case/filing:

#### 01 UTILITIES - NEW APPLICATIONS

NEW CC&N

RATES

INTERIM RATES

CANCELLATION OF CC&N

DELETION OF CC&N (TERRITORY)

EXTENSION OF CC&N (TERRITORY)

TARIFF - NEW (NEXT OPEN MEETING)

REQUEST FOR ARBITRATION

(Telecommunication Act)

FULLY OR PARTIALLY ARBITRATED

INTERCONNECTION AGREEMENT

(Telecom. Act.)

VOLUNTARY INTERCONNECTION

AGREEMENT (Telecom. Act)

MAIN EXTENSION

CONTRACT/AGREEMENTS

COMPLAINT (Formal)

RULE VARIANCE/WAIVER REQUEST

SITING COMMITTEE CASE

SMALL WATER COMPANY -SURCHARGE (Senate Bill 1252)

SALE OF ASSETS & TRANSFER OF OWNERSHIP

SALE OF ASSETS & CANCELLATION OF CC&N

FUEL ADJUSTER/PGA

MERGER

FINANCING

MISCELLANEOUS

Specify

#### 02 UTILITIES - REVISIONS/AMENDMENTS TO PENDING OR APPROVED MATTERS

APPLICATION

COMPANY

DOCKET NO.

TARIFF

PROMOTIONAL

DECISION NO.

DOCKET NO.

COMPLIANCE

DECISION NO.

DOCKET NO.

X

#### SECURITIES or MISCELLANEOUS FILINGS

04 AFFIDAVIT

12 EXCEPTIONS

X 18 REQUEST FOR INTERVENTION

48 REQUEST FOR HEARING

24 OPPOSITION

50 COMPLIANCE ITEM FOR APPROVAL

32 TESTIMONY

47 COMMENTS

29 STIPULATION

38 NOTICE OF INTENT

(Only notification of future action/no action necessary)

43 PETITION

46 NOTICE OF LIMITED APPEARANCE

39 OTHER

Specify

April 13, 2000

Date

ROBERT TANNER

Print Name of Applicant/Company/Contact person/Respondent/Atty.  
(602) 787-2905

Phone

PLEASE SEE NOTICE ON REVERSE SIDE



## Davis Wright Tremaine LLP

ANCHORAGE BELLEVUE BOISE CHARLOTTE HONOLULU LOS ANGELES PORTLAND RICHLAND SAN FRANCISCO SEATTLE WASHINGTON, D.C. SHANGHAI

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DIRECT (206) 628-7161  
larryweathers@dwt.com

2600 CENTURY SQUARE  
1501 FOURTH AVENUE  
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www.dwt.com

April 13, 2000

Arizona Corporation Commission  
Docket Control – Utilities Division  
1200 W. Washington Street  
Phoenix, AZ 85007

Re: *In the Matter of Investigation into U S WEST Communications, Inc.'s Compliance with  
Certain Wholesale Pricing Requirements for Unbundled Network Elements and Resale  
Discounts, Docket No. T-00000A-00-0194*


Dear Docket Control:

Enclosed for filing in the above named docket are the original and 10 copies of **NEXTLINK  
Arizona, Inc.'s Application to Intervene.**

Should you have any questions regarding this filing please call Robert Tanner at (602) 787-2905.

Very truly yours,

Davis Wright Tremaine LLP



Larry J. Weathers  
Paralegal

Enclosures

cc: Greg Kopta

BEFORE THE  
ARIZONA CORPORATION COMMISSION

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IN THE MATTER OF INVESTIGATION INTO )	
U S WEST COMMUNICATIONS, INC.'S )	DOCKET NO. T-00000A-00-0194
COMPLIANCE WITH CERTAIN WHOLESALE )	
PRICING REQUIREMENTS FOR UNBUNDLED )	APPLICATION TO INTERVENE
NETWORK ELEMENTS AND RESALE )	
DISCOUNTS )	

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**NEXTLINK ARIZONA, INC.'S  
APPLICATION TO INTERVENE**

Pursuant to Rule R14-3-105 of the Arizona Administrative Code, NEXTLINK Arizona, Inc., ("NEXTLINK") respectfully petitions the Arizona Corporation Commission ("Commission") for leave to intervene in the above-captioned proceeding and hereby give notice of its intention to participate as a full party to this proceeding.

The names, addresses and telephone numbers of the persons to whom communications should be addressed for the Applicant are:

Rex M. Knowles  
NEXTLINK Arizona, Inc.  
111 E. Broadway  
Suite 1000  
Salt Lake City, UT 84111  
Tel: (801) 983-1504  
Fax: (801) 983-1667  
Email: [rknowles@nextlink.com](mailto:rknowles@nextlink.com)

Greg Kopta  
DAVIS WRIGHT TREMAINE LLP  
2600 Century Square  
1501 Fourth Avenue  
Seattle, WA 98101-1688  
Tel: 206.628.7692  
Fax: 206.628.7699  
Email: [gregkopta@dwt.com](mailto:gregkopta@dwt.com)

Robert S. Tanner  
DAVIS WRIGHT TREMAINE LLP  
17203 N. 42<sup>nd</sup> Street  
Phoenix, AZ 85032  
Tel: 602.787.2905  
Fax: 602.788.8944  
Email: [robbtanner@dwt.com](mailto:robbtanner@dwt.com)

## I. INTRODUCTION

On January 28, 2000, the Arizona Corporation Commission ("Commission") staff filed a Motion to Reopen Docket or Open a New Sub-Docket. On March 30, 2000, the Commission issued a Procedural Order opening new Docket No. T-00000A-00-0194 and setting forth a procedural schedule for Phase I of the docket.

## II. IDENTITY OF APPLICANT

NEXTLINK has an Application for a Certificate to Compete as a Telecommunications Corporation and to Offer Public Telecommunications Services authorizing NEXTLINK to provide local telecommunications services in Arizona in exchanges in which USWC is the incumbent local exchange carrier ("ILEC"). NEXTLINK offers local and interexchange services to customers in Arizona in competition with USWC.

## III. INTEREST OF APPLICANTS

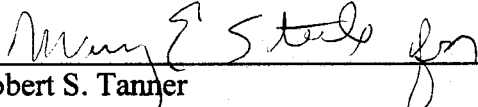
NEXTLINK has a direct and substantial interest in this proceeding because it obtains critical facilities and services from USWC and interconnects with USWC's network in order to compete with USWC in the provision of local, interexchange and advanced services. USWC continues to be the monopoly, incumbent local exchange carrier serving the majority of customers throughout its service territory in Arizona. NEXTLINK thus has a substantial interest in ensuring that the rates for USWC's wholesale services, including network elements and the discount for resale of USWC's retail services are in compliance with the federal Communications Act and Arizona law. Accordingly, NEXTLINK will be directly impacted by the rates set by the Commission in this docket.

#### IV. NATURE OF INTERVENTION

The participation of NEXTLINK will be of material value to the Commission in its determination of the issues involved in this proceeding, and a grant of intervention to NEXTLINK will not broaden those issues or delay the proceedings.

WHEREFORE, NEXTLINK respectfully requests leave to intervene as a party to this proceeding, with a right to discovery, to have notice of and appear at the taking of testimony, to produce and cross-examine witnesses, and to be heard in person or by counsel on brief and at oral argument.

RESPECTFULLY SUBMITTED THIS 13th DAY OF APRIL, 2000.

  
\_\_\_\_\_  
Robert S. Tanner  
Davis Wright Tremaine LLP  
17203 N. 42<sup>nd</sup> Street  
Phoenix AZ 85032  
Tel. (602) 787-2905  
Fax (602) 788-8944



CERTIFICATE OF SERVICE  
Docket No. T-00000A-00-0194

I hereby certify that the original and 10 copies of *NEXTLINK Arizona, Inc.'s Application to Intervene* were filed this 13<sup>th</sup> day of April, 2000, via FedEx overnight delivery to:

Arizona Corporation Commission  
Docket Control – Utilities Division  
1200 W. Washington Street  
Phoenix, AZ 85007

and one copy each of the foregoing was mailed via First Class postage to:

**AT&T**  
Richard S. Wolters  
AT&T Communications, Inc.  
1875 Lawrence Street, Room 1575  
Denver, CO 80207-1847

**USWC**  
Thomas Dethlefs  
U S WEST Communications, Inc.  
1801 California Street, Suite 5100  
Denver, CO 80202

**Cox/e.spire**  
Michael W. Patten  
Brown & Bain  
P.O. Box 400  
Phoenix, AZ 85001-0400

**ELI/Covad/New Edge**  
Michael Grant  
Gallagher & Kennedy  
2575 E. Camelback Road  
Phoenix, AZ 85016-9225

**Rhythms Links**  
Thomas H. Campbell  
Lewis & Roca  
40 N. Central Avenue  
Phoenix, AZ 85007

**MCI WorldCom**

Thomas F. Dixon, Jr.  
MCI WorldCom  
707 17<sup>th</sup> Street  
Denver, CO 80202

**Sprint**

Darren S. Weingard  
Stephen H. Kukta  
Sprint Communications Co.  
1850 Gateway Drive, 7<sup>th</sup> Floor  
San Mateo, CA 94404-2467

**RUCO**

Scott S. Wakefield  
Residential Utility Consumer Office  
2828 N. Central Avenue, Suite 1200  
Phoenix, AZ 85004

**NEXTLINK**

Rex M. Knowles  
NEXTLINK Arizona, Inc.  
111 E. Broadway, Suite 1000  
Salt Lake City, UT 84111

**ATG**

Kathy Thomas  
Advance TelCom Group, Inc.  
100 Stoney Point Rd.  
Suite 130  
Santa Rosa, CA 95401

**ACC**

Lyn Farmer, Chief Counsel  
ACC - Legal Division  
1200 W. Washington Street  
Phoenix, AZ 85007

ACC

Deborah Scott, Director  
ACC - Utilities Division  
1200 W. Washington Street  
Phoenix, AZ 85007

Arizona Reporting Service  
2627 N. Third Street, Suite Three  
Phoenix, AZ 85004-1103

Dated this April 13, 2000

by Lamy J. Weather

CERTIFICATE OF SERVICE  
Docket No. T-00000A-00-0194

I hereby certify that the original and 10 copies of *Motion by NEXTLINK, Inc. to Permit Late-Filed Intervention* was filed this 18<sup>th</sup> day of April, 2000, via FedEx overnight delivery to:

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Phoenix, AZ 85007

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Advance TelCom Group, Inc.  
100 Stoney Point Rd.  
Suite 130  
Santa Rosa, CA 95401

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Lyn Farmer, Chief Counsel  
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1200 W. Washington Street  
Phoenix, AZ 85007

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Deborah Scott, Director  
ACC - Utilities Division  
1200 W. Washington Street  
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Dated this April 18, 2000

by Jamy J. Weather